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IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	IN EQUITY NO. C-127
	)	
Plaintiff,	)	3:73-cv-00127-MMD-CSD
	)	
WALKER RIVER PAIUTE TRIBE	)	STIPULATION AND ORDER
	)	CONTINUING THE STAY REGARDING
Plaintiff-Intervenor,	)	DISCOVERY AND MOTION SCHEDULE
	)	
v.	)	
	)	
WALKER RIVER IRRIGATION DISTRICT,		
a corporation, et al.,		
Defendants.		

1. On June 23, 2022, the Plaintiffs and Principal Defendants (“Parties”) requested a 90-day stay of the Scheduling Order<sup>1</sup> and obligations outlined therein to give the Parties the opportunity to resolve the Tribe’s outstanding water right claims by agreement. *Stipulation and [Proposed] Order Staying the Order Regarding Discovery and Motion Schedule* (ECF No. 2701) (“Stipulation”).

2. On June 24, 2022 the Court granted the Parties’ request. *Order Staying the Order Regarding Discovery and Motion Schedule* (ECF No. 2702) (“Stay Order”).

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<sup>1</sup> *Order Regarding Discovery and Motion Schedule and Procedure* (ECF No. 2611).

1           3.       Based upon the progress made by the Parties during that first 90-day Stay, on  
2 September 15, 2022, the Parties requested a second 90-day Stay (ECF 2706)(“Second Stay  
3 Order”).

4           4.       Based upon the progress made by the Parties during that second 90-day Stay, on  
5 December 15, 2022, the Parties requested a third 90-day Stay (ECF 2713; 2714)(“Third Stay  
6 Order”).

7           5.       Based upon the progress made by the Parties during the Third Stay Order, the  
8 Parties requested a fourth 90-day Stay (ECF 2718; 2719)(“Fourth Stay Order”).

9           6.       Based upon the progress made by the Parties during the Fourth Stay Order on June  
10 1, 2022, the Parties requested a fifth 90-day Stay (ECF 2725; 2726)(“Fifth Stay Order”).

11          7.       In the request for the Fifth Stay Order, the Parties stated that “if at any time during  
12 the fifth 90-day stay period, one or more of the Final Approval Authorities of a Negotiating Party  
13 rejects the material provisions of the proposed Stipulation, that party or parties will inform the  
14 others and the Court of the rejection and that a settlement will not be possible. Alternatively, within  
15 seven (7) days before the expiration of any stay granted the Parties will inform the Court that  
16 additional time is needed to obtain required approvals. In either case, the Parties will seek  
17 additional relief from the Court accordingly as needed and as contemplated by paragraphs 14 and  
18 16 of the Scheduling Order.”

19          8.       Since June 1, 2023, the Plaintiffs and Principal Defendants Walker River Irrigation  
20 District and Nevada Department of Wildlife (the “Negotiating Parties”) have reached agreement  
21 on the terms and provisions of a Final Stipulation which they are in the process of presenting to  
22 those persons who have final approval authority over it (the “Final Approval Authorities”), but  
23 that process is not yet complete.

24          9.       Accordingly, the Negotiating Parties believe that a sixth 90-day stay of the  
25 Scheduling Order is justified and would be beneficial and productive to obtaining approval of the  
26 proposed Stipulation by the Negotiating Parties’ Final Approval Authorities.

1           10.       Based upon the status of this matter and of the Archive/Records Offices, it is no  
2 longer necessary to report on their status which was required by Paragraph 3 of the Order  
3 Amending Order Regarding Discovery and Motion Schedule as Previously Amended (ECF 2676).

4           NOW, THEREFORE, pursuant to the Fifth Stay Order, the Parties hereby stipulate and  
5 agree as follows:

6           1.       The Scheduling Order and obligations outlined therein should be stayed for a sixth  
7 90-day stay period to give the Negotiating Parties the opportunity to obtain approval from their  
8 respective Final Approval Authorities of the proposed Stipulation to resolve the Tribe's  
9 outstanding water right claims.

10          2.       If at any time during the sixth 90-day stay period, one or more of the Final Approval  
11 Authorities of a Negotiating Party rejects the material provisions of the proposed Stipulation, that  
12 party or parties will inform the others and the Court of the rejection and that a settlement will not  
13 be possible. Alternatively, within seven (7) days before the expiration of any stay granted the  
14 Parties will inform the Court that additional time is needed to obtain required approvals. In either  
15 case, the Parties will seek additional relief from the Court accordingly as needed and as  
16 contemplated by paragraphs 14 and 16 of the Scheduling Order.

17          3.       The Principal Defendants are no longer required to report to the Plaintiffs' counsel  
18 and to the Court on the first judicial day of each month concerning the status of access to each of  
19 the Archive/Records Offices as has been required by paragraph 3 of the Stipulation and Order  
20 Amending Order Regarding Discovery and Motion Schedule as Previously Amended (ECF 2676).

21          Dated: August 23, 2023.

22  
23       WOODBURN AND WEDGE  
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**ORDER**

Dated: August 23, 2023.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'CSB', is written over a horizontal line.

United States Magistrate Judge